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C O N F I D E N T I A L SECTION 01 OF 02 CONAKRY 000004

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E.O. 12958: DECL: 12/31/2017  
TAGS: [PGOV](#) [PREL](#) [KDEM](#) [GV](#)  
SUBJECT: RESTRUCTURING DECREE ALTERED FROM WITHIN THE  
PRESIDENCY

REF: A. CONAKRY 1326

[1](#)B. CONAKRY 1327

Classified By: POL/ECON CHIEF SHANNON CAZEAU FOR REASON 1.4 (B) AND (D)

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SUMMARY  
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[1](#)1. (C) Both Finance Minister Ousmane Dore and a contact at the Prime Minister,s office confirmed that the presidential restructuring decree signed in early December by President Conte (reftel A) had been altered from within the presidency. Widespread rumors have pointed to the Secretary General of the Presidency, Mr. Sam Soumah, as the likely author of such alterations, which grant Mr. Soumah,s position reportedly disproportionate and inappropriate powers of state. Despite widespread discussion of the issue in the press, Minister Dore remains happy that the document was finally signed and confident that the prime minister will be able to get the president to accept returning power to the PM. END SUMMARY.

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PRESIDENTIAL DECREE ALTERED  
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[1](#)2. (C) After several months of waiting for President Conte,s signature on the government restructuring decree (reftel A), Prime Minister Lansana Kouyate,s senior economic advisor, Fofana Lamine, told poloff on December 27 that the signed document had been altered. Lamine provided the Embassy with a copy of the official decree, which includes President Conte,s initials on each of the 59 pages as well as his signature on the final page. Lamine pointed specifically to Section XIX, which details the responsibilities of the Secretary General of the Presidency, a position held by Mr. Sam Soumah. &This is not the same document we submitted to the President,8 Lamine said. Lamine suggested that some parts of the document looked to have been &cut and pasted.8 When asked who might have altered the document, Lamine refused to specify a name, but said that it had to be someone within the presidency.

[1](#)3. (C) According to Lamine, the altered Section gives Sam Soumah powers that should normally be granted to the Prime Minister, as head of government. He noted that the text states that the Secretary General is responsible for &conceiving and orienting the general policies of the Nation8 and that &he controls government action and assures regular government functions and the continuity of the State.8 Clearly irritated, Lamine said &Soumah isn,t even a minister, he,s a secretary general ) he should not have these powers.8 Another point of contention, Lamine said, is that the decree leaves the Central Bank under the Presidency, and specifically, under Sam Soumah,s jurisdiction.

¶4. (SBU) Lamine also commented on the lack of mention of the prime minister within the decree document. He noted that out of the 59 pages, the prime minister is specifically mentioned in only one sentence, under Section XX, which deals with the power of the Secretary General of the Government, where it states that the Secretary General of the Government, appointed by the Prime Minister is responsible for coordinating the actions of the government.<sup>8</sup> Lamine said that this section refers more to administrative responsibility than to powers of state. However, Lamine acknowledge that the initial letter signed by President Conte in March that appointed Kouyate as prime minister adequately defines the prime minister position and the powers delegated by the president.

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WE,LL GET IT FIXED  
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¶5. (C) During a December 28 meeting with the Ambassador, Finance Minister Ousmane Dore acknowledged that the document had been altered, but was less concerned than Lamine. Dore confirmed that the signed decree is not the same one the Prime Minister originally submitted to the Presidency. However, Dore said Kouyate,s administration had caught the error and is in the process of correcting the problem, noting that the prime minister will be meeting with the president privately to discuss the matter. Dore commented that the fact that the Central Bank is under the presidency is not a big deal since it has traditionally always been under the presidency. However, Dore said that the prime minister,s proposed corrections include removing the Central Bank from the president,s jurisdiction and making it completely independent.

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WIDESPREAD PRESS SPECULATION  
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¶6. (U) The press, both printed and electronic, has widely speculated on possible alterations to the decree,s original text in recent weeks. The delay between Dore,s announcement of the president,s signing of the decree on public radio on December 6 and the public release of the actual text to the press on December 12 (reftel A) raised a number of questions regarding the content of the document. The press has commented on the significant powers granted to Secretary General Sam Soumah as well as the almost complete lack of mention of the prime minister and his powers as head of government. There have been a few press reports suggesting that the decree had been altered in order to preserve power within the presidency. Rampant rumors suggest that Secretary General Sam Soumah is responsible for the alterations.

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LABOR UNIONS WEIGH IN  
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¶7. (U) Union-Intersyndicale, the blanket organization representing Guinea's labor unions, issued an open letter on December 28 in which union leaders criticized the restructuring decree. Citing inconsistencies with the January 27 Accords, union leaders wrote that the powers granted to the Secretary General of the President seriously violate the spirit of the verbal negotiations leading to the January 27 Accords and Prime Minister Kouyate's appointment. In addition, union leaders suggest that the Secretary General's stated powers are inappropriate since he does not hold ministerial rank.

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KEY PROVISIONS  
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¶8. (U) The bulk of the decree details the individual powers of each ministry and reportedly grants each minister the ability to reorganize his/her respective institutions. According to Embassy contacts, the document also gives the Ministry of Interior the ability to appoint government officials throughout the interior, including governors, prefects and sous-prefects. (Comment ) While Kouyate appointed new governors and prefects in July 2007, many contacts have stressed that the government needs to review and/or replace the 313 sous-prefecture positions throughout the country. End Comment).

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COMMENT  
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¶9. (C) While government sources confirm that the restructuring decree appears to have been altered, Finance Minister Dore seemed confident that the prime minister will be able to resolve the problem quickly. Despite critical press reports and strong reactions from the unions and others, it is important to recognize that the decree has finally been signed and it does reportedly give Kouyate,s ministers the ability to reorganize their respective ministries, the lack of which has hampered Kouyate,s reform efforts since his appointment in March 2007. The fact that the document does not address Kouyate does not appear to be especially problematic since Kouyate already has a legitimate document detailing his appointment and his powers as head of government. However, concerns over what should have been in the decree may create an unwelcome diversion as ministers and others focus on getting the decree changed rather than capitalizing on their newly defined authorities to advance the PM's reform agenda.

¶10. (C) A greater concern may be that the document appears to have been altered within the presidency. In an earlier meeting with the Ambassador (reftel B), Finance Minister Dore said that Sam Soumah had sat on the decree for months and never presented it to the president. Now, the Embassy is hearing that Mr. Soumah may have altered the signed decree in order to grant himself additional powers. If Kouyate succeeds in getting the decree revised, it should send a clear message to Sam Soumah and others of Conte,s inner circle. At the same time, the decree,s alteration suggests that the &old guard8 is capitalizing on opportunities to manipulate the current political situation and preserve its power base. END COMMENT.  
CARTER